Passed
Rgt

Secrt. II-27—104,006—4-11-49.

DEV (195 /) Department.

MS SERIES.

G.O. NO. 1411 12

Dated 30.3.1951

[Despatch Abstract.]

Estts Forests Gn. P.K. Padma Lakho Temporary Creation, of Forest Officer, Kollegal - Appointment on regular basis. Relaxation rules - Petition - Rejected.

Ref.No.19702/50-II-B2. Office of the Chief Conservator of Forests, Mount Road, Madras, Dated 13th March 1951.

Sub: Establishment - Sri P.K.Padmanabhan, temporary Draftsman, District Forest Office, Kollegal Division - Relaxation of service Rules for absorption in the Forest Department.

Ref: Petition dated 8-1-1951 from Sri P.K.Padmanabhan, Temporary Draftsman, District Forest Office, Kollegal Division, addressed to the Hon'ble Minister for Prohibition, Housing and Forests.

31190

1. Forwarded.

2. Attention is invited to Chief Conservator's Ref.No.23468/49 B2 dated 24-9-1950 disposed of in G.O.MS.NO.4138 Development dated 12-10-1950 rejecting the previous petitions for regularisin temporary service in the Forest Department.

3. The petition may be rejected.

17.3.51

GS.17.3. for CHIEF CONSERVATOR OF FORESTS.

To the Secretary to Government, Development Department, Madras.

C.M.O. 357/51

OFFICE OF THE CONSERVATOR OF FORESTS
9-FEB1951
COIMBATORE CIRCLE, OOTACAMUND.

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Secy. Dev.

From

P.K.Padmanabhan,
Draftsman, District Forest Office,
Kollegal.

SECRETARY TO GOVERNMENT
12 JAN 1951
DEVELOPMENT DEPARTMENT

To

The Hon'ble Minister for Prohibition, Housing and Forests,
Government of Madras.
Madras.

Respected Sir,

I respectfully beg to submit the following few lines for your Honour's kind and generous condideration and orders.

OFFICE OF THE CHIEF CONSERVATOR OF FORESTS
13 FEB 1951
MADRAS

2. I entered service as a Draftsman in the Forest Department in the District Forest Office, Tirunelveli on 4.6.1943 at the age of 32 and continued there till 1950. Now I am working as Draftsman in the District Forest Office, Kollegal from 30-8-1950. In my service of over 7 years as Draftsman in the Forest Department, I have given entire satisfaction in my work to all my officers.

13/2 A/

3. As for my qualifications, I am an S.S.L.C. holder. I have passed the Government Technical examinations in (i) Mensuration and (ii) Building drawing and estimating. The other qualifications prescribed for a Draftsman in the Forest Department are Building materials and construction, Earthwork and road making, Survey and levelling and applied Mechanics. Having undergone training in the Government school of Technology, Madras for 4 years, I am fully conversant with all these subjects. Moreover, having worked in the Department for over 7 years I have acquired practical knowledge in all the prescribed subjects and am confident of satisfactorily discharging my duties.

4. I had applied to Government for exemption from age and other qualifications. Unfortunately orders (copy enclosed) have not been favourable to me; and I am faced with being sent out into the world at the age of 39 with life's big problems staring at my face and a large family depending on my earnings.

I am therefore forced by my pitiable condition to approach your Honour for a reconsideration of the orders.

5. I was a staunch Congressman and was associated with the political activity of the Congress in the years 1929 - 1942, whether at Madras, Tirunelveli or Madura. I have spent the best part of my life in the cause of the country and was not mindful of entering Government Service within the prescribed age limit or acquiring qualifications to eke out my livelihood. I have suffered enough during the Congress movements and I am a Political sufferer. A reference to prominent Congress men like Sri P.S.Krishnasami Ayyengar, Vakil, Manamadura ~~and~~ Sri S.Sreenivasa Ayyengar of Madura and Sri Dakshnamoorthi Konar, President, Town Congress Comittee Tirunelveli will bear out my statements. I am not placing these facts before your Honour in the nature of a grievance, but as facts that stood in the way of my acquiring qualifications for a Government job for my bread. Government are doing their utmost to help people who have been at a disadvantage on account of Political activities in the interest of the nation. I pray that my case also may kindly be considered in their category.

6. It will be seen from past records that it has always been difficult to get fully qualified Draftsmen in the Forest Department and there have been a number of cases in which Government have granted special exemption from age and other qualifications. To quote one instance, I invite reference to orders in G.O.Ms.No.5295, Development dated 15.11.1947 (Copy enclosed)

7. There is of course provision to appoint Foresters as Draftsmen in the absence of qualified persons. So far as the technical qualifications are concerned, these Foresters are equally unqualified IF AT ALL. And it is rarely that a Forester used to out door work reconciles himself to the desk work within the 4 walls of a room for a continuous number of hours. These facts I submit just only to explain that I am confident of discharging my duties as a Draftsman better than any Forester.

8. Government are sympathetically viewing the case of clerks employed on an emergency basis, and are taking action to absorb them on a regular basis. I need not stress that my case is also one such, deserving sympathetic consideration.

In the circumstances, I respectfully pray that the relevant service rules may kindly be relaxed and that I may be absorbed in the Department as a Draftsman.

Enc:-2.

I beg to remain,
Sir,
Yours obediently,
P.K Padmanabhan

KOLLEGAL)
)
8th January 1951.)

GOVERNMENT OF MADRAS.
DEVELOPMENT DEPARTMENT.

Endorsement No. 5744CI/51--1 dated the 17th January 1951.

Retured to the petitioner for submission through the proper channel.

P. Ambalavanathan 17/1/51
ASSISTANT SECRETARY TO GOVERNMENT.

To
Sri.P.K.Padmanabhan.
Draftsman.
District Forest Office,
Kollegal.

16.1.51 Dgl 16/1/51

Resubmitted to the Hon'ble Minister for Prohibition, Housing and Forests, Government of Madras, Madras through proper channel.

KOLLEGAL,
Dated 22nd Jan. 1951.

I beg to remain,
Sir,
Yours Obediently,
P.K Padmanabhan

NDis 263/51 E
Submitted to the Conservator of Forests, Coimbatore circle for favourable consideration.
Dt. Forest Officer, Kollegal

NDis 357/51 M2.
Forwarded through the Chief Conservator of Forests, Madras.
27/1/51

DESPATCHED
7 FEB 1951

Conservator of Forests,
Coimbatore circle.

Copy of C.C.P.Rt.No.1103/50 Dated 20-10-50 from theChief Conservator of Forests, Madras 2.

Sub:- ESTABLISHMENTS - Forests - Sri P.K.Padmanabhan - Temporary Draftsman, District Forest Office, Tirunelveli Division - Absorption in the Forest Department on a regular basis - Petitions - rejected.

Ref:- Petitions dated 24.11.49, 5.4.50, 22.7.50 and 28.7.50 from Sri P.K.Padmanabhan, Temporary Draftsman, District Forest Office, Tirunelveli division addressed to the Secretary to Government, Development Department, Madras.
G.O.Ms.No.4138 Development dated 12.10.50.

The petitioner is informed that his petitions have been rejected by Government.

Sd. M.Kesavan Unni Nayar,
CHIEF CONSERVATOR OF FORESTS.

OFFICE OF THE CONSERVATOR OF FORESTS
9-FEB1951
COIMBATORE CIRCLE, OOTACAMUND

(TRUE COPY)

Copy of C.C.P.Mis.No.327/47 dated 26th Nov.1947 from the Chief Conservator of Forests, Egmore, Madras.

Sub:- Establishment - Messrs S.Venkatachala Ayyar, M K.Krishnappa, S.Gopalaswamy Mudaliar and K.Ramaswamy Ayyar - Draftsmen - confirmation - relaxation of rules relating to age and educational qualifications - orders passed - G.O.communicated.

Ref:- G.O.Ms.No.5295, Development dated 15.11.1947.

Communicated for necessary action.

2. Confirmation should be ordered in vacancies other than reserved ones.

Sd. E.A.Lasrado,
for Chief Conservator of Forests.

Copy of G.O.No.Ms.5295, Development department dated the 15th November 47.

Sub:- Establishment - Forests - certain draftsmen - confirmation - relaxation of rules relating to age and educational qualifications - orders passed.

Read the following:-

From the Chief Conservator of Forests No.2851/46 B2 dated 20-10-1946.

ORDER:-

The four persons mentioned in column (2) of the following statement were originally employed as temporary draftsmen in the Survey Department ~~of-t-~~ for the periods noted against them in Column (3) and were appointed as draftsmen in theForest Department on the dates noted in column (4) thereof.

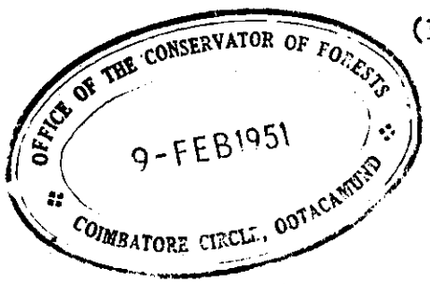
Serial No.	Name of Draftsmen	Period of service in the Survey department	Date of appointment in the Forest departme
		3-2-1931	
1.	Sri S.Venkatachala ayyar	25-11-1921 to ~~3-11~~	7-2-1931
2.	Sri K.Krishnappa	18-6-1928 to 22-11-1934	1-1-1935
3.	Sri S.Gopalaswamy Mudaliar	1-8-1921 to 11-4-1934	25-6-1934.
4.	Sri K.Ramaswamy Ayyar	18-7-1916 to 1-4-1934	11-7-1942.

All these four persons were over aged on the date of their appointment in the Forest Department. The persons mentioned in items (2) to (4) above did not also possess the educational qualifications prescribed for the posts of draftsmen in the Forest Department according to the rules then in force. They are still employed as temporary draftsmen in the Forest Department.

In consideration of their long service ranging from about six to eighteen years in the Survey Department and of about five to sixteen years in the Forest Department and as they will have to remain in service and retire as temporary draftsmen unless they are made permenent, which will be a hardship to them, the Chief Conservator of Forests has proposed that the relevant service rules may be relaxed in their favour in order to enable them to be appointed as full members in the category of draftsme in the Madras Forest Subordinate service. His Excellency the Governor of Madras accepts the proposal and in exercise of the powers conferred by Sub section (5) ofsection 241 of the Government of India Act, 1935 hereby relaxes the relevant service rules in order to enable the four subordinate to be appointed as full members in the category of draftsmen in the Madras Forest & Subordinate service.

(BY ORDER OF HIS EXCELLENCY THE GOVERNOR)

(true copy)



Dev/(G) Dept.

11

Secy

82/30/3

Subj: Estbt. forests. Sri P. K Padmanabhan, Temporary Draftsman, DI forest office, Kalugal. Appointment on a regular basis. Relaxation of rules. Petition. Rejected —

Ref: From the ref No 19702/50-II B2 dt. 13.8.51

Order No 1411 dt. 30.3.52

The petition is rejected. The ref is requested to inform the petitioner accordingly.

To

The ref

Kgdy 1344/28/8/51, 28/3/52

614

CR 29/3/52

CN. 3190 Gs1

DEVELOPMENT (CI) DEPT.

SUB:- ESTABLISHMENTS - Forests - Sri P.K. Padmanabhan - Appointment as a Draftsman - Relaxation of rules - Petition.

REF:- From the C.C.F. No. 19702/50-II B2 d/ 13.3.51.

Under the special rules for the M.F.S.S. a candidate for appointment by direct recruitment as a Draftsman is required to be not over 25 years of age and must have passed the Govt. Technical Examination by the lower grade in

(1) Building Drawing and Estimating;

(2) Building Materials and Construction.

(3) Geometrical Drawing.

(4) Mensuration.

(5) Applied Mechanics.

(6) Earthwork, Road Making; and

(7) Surveying and Levelling.

2. Attention is now invited to the petition from one Sri P.K. Padmanabhan on pp. 3-5 c.f. and the C.C.'s remarks thereon on p.1 c.f.

3. The petitioner Sri P.K. Padmanabhan possesses a certificate issued by the Govt. School of Technology for having undergone a 4 years' course in Electrical Engineering. He was appointed as a draftsman in the Dt. Forest Office, Tirunelveli, temporarily, under emergency provisions with effect from 4.6.1943. when he was 32 years old. Sri Padmanabhan did not therefore, possess either the age or the educational qualifications prescribed for appointment to the post of draftsman. In October 1947, the Conservator of Forests addressed the C.C.F. for regularising the services of Sri P.K. Padmanabham. exempting him from the possession of age and educational qualifications. The C.C. then drew the Conservator's attention to the orders of the Govt. in G.O. Ms.No.4706, Dev., d/ 3.10.47 to the effect that the Govt. were not prepared to go on relaxing the Statutory Service Rules to suit individuals and that even for emergency appointments only candidates with prescribed qualifications should be selected and ~~that~~ he was asked to

take steps to secure the services of a qualified draftsman and terminate the emergency appointment of the petitioner. - Sri P.K. Padmanabhan.

4. In Nov. 1949, Sri Padmanabhan put in a petition to the Govt. through the proper channel stating that with the 4 years training in the Govt. School of Technology he was able to discharge his duties as a draftsman to the complete satisfaction of his superiors, that he had more than 6 years of service to his credit, that though he had put in 3½ years service on 1.1.1947 he was not given any advance increment and requested that he might be exempted from age qualification and his appointment considered as regular. This petition was not then forwarded to the Govt. The C.C.F. then stated that on receipt of this petition in his office, the Conser. was called upon to state why the services of the petitioner were not terminated as previously ordered and that on receipt of the Conser.'s report it was proposed to forward that petition to the Govt. In July 1950, Sri P.K. Padmanabhan submitted another petition to the Govt. stating that his petition d/ 24.11.49 seemed to have been withheld by the C.C.F. that in 1947 he had sent a similar petition to the Govt. through the proper channel, that the C.C.F. did not send this petition to the Govt. that the C.C.F. ordered that the petitioner's services might be terminated, that on receipt of these orders, the D.F.O. called for applications from qualified persons, that no application was received, that he was, therefore, allowed to continue, that it was not known why the C.C.F. was persistent in posting a Forester in the petitioner's place, that he had served as a draftsman in the D.F.Office for more than seven years continuously, that his age was now forty, that it would be unjust, if he was sent out to seek a job elsewhere and requested that he might be exempted from the age and other qualifications. The petitioner also cited the proposal to regularise the services of persons who had put in temporary service of 3 years or over as clerks in the several Govt. Depts. which was under consideration in the Pub (Ser) Dept. and stated that his case also comes within this proposal.

The petition was considered in consultation with the C.C.F. and it was rejected.

5. Attention is now invited to the petition from Sri P.K. Padmanabhan on pp.3-5 c.f. and the C.C.'s remarks thereon on p.1 c.f. The petitioner has stated that during his service in the Forest Dept. he has given entire satisfaction to his superiors, that he was a staunch Congressman, that he has spent the best part of his life for the country and was not mindful of entering Govt. service within the prescribed age limit or acquiring qualifications, that it has been difficult to get fully qualified Draftsmen in the Forest Dept, that there have been a number of cases in which Govt. have granted special exemption from age and other qualifications, that it is rarely that Foresters appointed as Draftsman reconcile themselves to desk work and has requested that the relevant service rules be relaxed in his favour and that he may be absorbed in the Forest Dept.

6. The C.C.F. has drawn attention to the orders of the Govt. on Sri Padmanabhan's previous petitions and has stated that the present petition may be rejected.

7. It is submitted that the present petition does not contain any new points for a reconsideration of the orders already passed. The policy of the Govt. is also not to sanction relaxation of rules except in cases of undue hardship.

In the circumstances it is for orders whether the petition will be rejected.

24/3/51 BA 22/3/51

24/3/51 D.S.

There is no ground for reconsidering the orders of rejection already passed

Sd/- 28/3 Hon (Proth)

27/3

SECRETARY TO GOVERNMENT 28 MAR 1951

DEPUTY SECRETARY TO GOVERNMENT 28 MAR 1951 DEVELOPMENT DEPARTMENT

(Orders on p3 above)
A draft order is
submitted for approval

[redacted] PKH 28/3/51
6351

29/3/51

(Govt Notn 1411 Dcn dt. 30.3.51)